



North Carolina Department of Health and Human Services
Division of Budget and Analysis
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Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

James B. Slate, Jr., Director

March 10, 2006

MEMORANDUM 2006-03

TO: Division Directors
Division Budget Officers
Office Directors

FROM: Jim Slate

SUBJECT: Special Provisions Review for the 2006 Legislative Session
Due to Budget and Analysis on March 24, 2006

In preparation for the upcoming legislative session, this memorandum provides instructions regarding non-block grant special provision language. Divisions need to submit to Budget & Analysis recommended modifications to existing special provisions as contained in SB 622 or other bills affecting the Department's operations and the budget for 2006-07 as currently adopted. Modifications could include:

- Provisions which need to be amended including minor / technical modifications as well as major modifications,
- Provisions that need to be deleted in their entirety, and
- New provisions deemed necessary for the 2006-07 fiscal year.

New provisions proposed should be unrelated to expansion items that have been forwarded to the Department. These provisions should have been submitted with your expansion requests, as instructed by David McCoy in his memorandum of January 18, entitled "Instructions for SFY 2006-07 Budget Preparation". **If you have special provisions related to items in the Department's expansion package that you have not forwarded, please contact your analyst in B&A immediately.** Block Grant special provisions will be addressed by a separate memorandum.

Please review the non-block grant special provision language for your Division in the appropriations bill and other bills ratified during the 2005 session of the General Assembly. Please note that recommendations to delete reporting requirements that have already occurred should not be submitted provided that your report has been submitted as required. If the

reporting due date needs to be modified, this should be submitted as a technical correction. Also, provisions that have made changes to codified material should not be recommended for deletion.

There is an opportunity through this process to submit a new provision to change codified text, but this process should be limited and very critical to your operations.

The following instructions for preparing your Division's recommendations for special provision language modification should be used in completing the form at the end of this memorandum:

- I. Special Provisions Action Form (*Attachment A*) – Each provision requiring action is recorded on a separate “Special Provision Action Form”.
 - Enter date
 - Part A. Enter Division/Office name.
 - Part B. Bill and Sections Numbers: For existing provisions which are to be deleted or revised, enter the bill and section numbers from the appropriations bill. For new provisions, type “New”.
 - Part C. Action: Enter an “X” in the appropriate blank to indicate if the provision is to be retained with a technical change or a sub change, if the provision is new, or is to be deleted.
 - Part D. Justification/Explanation: Give the rationale for the modifications. For new provisions, give the reason(s) the provision is needed. For a provision to be deleted, explain why it is problematic or no longer applicable.
 - Part E. Special Provision: Since most special provisions are relatively brief, the provision is to be typed in its entirety, beginning with the provision title, if it is to be deleted, retained with changes, or is a new provision. If the provision is over one page long and you want to make changes only to one section, you may retype that section. Note that special provision language may be downloaded from the appropriations bill that can be found on the General Assembly website at <http://www.ncleg.net/>.
 - Use the strike through and underline method to show proposed changes in an existing provision.
 - New provisions should be underlined in their entirety.
 - Provisions to be deleted should be struck through in their entirety.

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II. Summary List of Provisions (*Attachment B*)

In addition to completing an individual sheet for each special provision which is amended, deleted or new, provide a summary list containing the titles of all provisions for which you are recommending amendments. Use the attached list, add any other applicable special provisions, and place an "X" in the appropriate column. It is recommended that you address all provisions that have any impact on your division's operations.

Please send an electronic copy of each affected special provision using the format in *Attachment A* **and** the summary list, *Attachment B*, to your analyst in this office.

If you have any questions, please do not hesitate to contact your analyst. Thank you for your assistance on this endeavor and for responding promptly.

JBS:gg

Attachments

cc:	Carmen Hooker Odom	Jackie Sheppard
	Allyn Guffey	Rob Lamme
	Dan Stewart	DHHS Program Analysts
	Allen Dobson	

Department of Health and Human Services

Special Provision Action Form

SFY 2006-07

Date:

A. Division:

B. Bill Number:

Section Number:

C. Action:

☐ Retain, Technical Change: _____;

☐ Retain, Substantive Change: _____;

☐ New: _____:

☐ Delete:_____.

D. Justification/Explanation for Action:

E. Special Provision: